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**PATENT**  
Attorney Docket No. 226079  
Client Reference No. 58269-2/L001

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of:

Hyndman et al.

Group Art Unit: 1764

Application No. 10/822,507

Examiner: Unassigned

Filed: April 12, 2004

For: **PROCESS AND APPARATUS FOR  
TREATING TAILINGS**

**INFORMATION DISCLOSURE STATEMENT**

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Pursuant to 37 CFR 1.97 and 1.98, the references listed on the enclosed Form PTO-1449 and/or Substitute Form PTO-1449 ("Form 1449") are submitted for consideration by the Examiner in the examination of the above-identified patent application.

The full consideration of the references in their entirety by the Examiner is respectfully requested and encouraged. Also, it is respectfully requested that the references be entered into the record of the present application and that the Examiner place his or her initials in the appropriate area on the enclosed Form 1449, thereby indicating the Examiner's consideration of each of the references.

The submission of the references listed on the Form 1449 is for the purpose of providing a complete record and is not a concession that the references listed thereon are prior art to the invention claimed in the patent application. The right is expressly reserved to establish an invention date earlier than the above-identified filing date in order to remove any reference submitted herewith as prior art should it be deemed appropriate to do so.

Further, the submission of the references is not to be taken as a concession that any reference represents art that is relevant or analogous to the claimed invention. Accordingly, the right to argue that any reference is not properly within the scope of prior art relevant to an examination of the claims in the above-identified application is also expressly reserved.

The Information Disclosure Statement is being filed:

- ☒ **within** any one of the following time periods: (a) within three months of the filing date of a national application other than a continued prosecution application under 37 CFR 1.53(d); (b) within three months of the date of entry of the national stage as set forth in 37 CFR 1.491 of an international application; (c) before the mailing date

of a first Office Action on the merits; or (d) before the mailing of a first Office Action after the filing of a request for continued examination under 37 CFR 1.114.

- ☐ after (a), (b), (c) or (d) above, but before the mailing date of a final action under 37 CFR 1.113, a Notice of Allowance under 37 CFR 1.311, or an action that otherwise closes prosecution in the application, and includes *one* of:

☐ the Statement under 37 CFR 1.97(e) (see "Statement under 37 CFR 1.97(e)" below).

*or*

☐ the fee of \$180 set forth in 37 CFR 1.17(p) (see "Fees" below).

- ☐ after the mailing date of a final action under 37 CFR 1.113 or a Notice of Allowance under 37 CFR 1.311, or an action that otherwise closes prosecution in the application, and on or before payment of the issue fee, and includes the Statement under 37 CFR 1.97(e) (see "Statement under 37 CFR 1.97(e)" below), and the fee of \$180 as set forth in 37 CFR 1.17(p) (see "Fees" below).

- ☐ after the mailing date of a Notice of Allowance under 37 CFR 1.311, and on or before payment of the issue fee, and **within** thirty days of receiving each item of information contained in the Information Disclosure Statement, and includes the Statement under 37 CFR 1.704(d) (see "Statement under 37 CFR 1.704(d)" below), and the fee of \$180 as set forth in 37 CFR 1.17(p) (see "Fees" below).

NOTE: This is for original applications except applications for a design patent, filed on or after May 29, 2000, wherein a paper containing only an Information Disclosure Statement in compliance with 37 CFR 1.97 and 1.98 is being filed.

### Copies of the References

- ☐ Copies of all of the references listed on the enclosed Form 1449 are enclosed herewith.
- ☒ Copies of U.S. patents and patent applications that are listed on the accompanying Form 1449 are not enclosed herewith. Copies of other references identified on the accompanying Form 1449 are enclosed herewith.
- ☒ Attached to each reference not in the English language is a concise explanation of the relevance pursuant to 37 CFR 1.98(a)(3). An English-language equivalent/patent, or an English-language abstract, or an English-language version of the search report or action by a foreign patent office in a counterpart foreign application indicating the degree of relevance found by the foreign office is being submitted in lieu of a concise explanation of the relevance pursuant to 37 CFR 1.98(a)(3).
- ☐ A copy of the foreign search report is enclosed herewith.
- ☐ The references listed on the enclosed Form 1449 were previously identified in the parent application(s) of the present application, and copies of the references were furnished at that time. Accordingly, additional copies of the references are not

In re Appln. of Hyndman et al.  
Application No. 10/822,507

submitted herewith, so as not to burden the file with duplicate copies of references. The Examiner is respectfully requested to carefully review the references in accordance with the requirements set out in the Manual of Patent Examining Procedure. In accordance with 37 CFR 1.98(d), the details of the parent application(s) relied upon for an earlier filing date under 35 USC 120 in which copies of the references were previously furnished are set out below:

U.S. APPLICATIONS		Status ( <i>check one</i> )		
U.S. APPLICATIONS	U.S. FILING DATE	PATENTED	PENDING	ABANDONED
1.				
2.				
3.				

**Statement under 37 CFR 1.97(e)**

- ☐ The **undersigned** hereby states that each item of information contained in the Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign patent application not more than three months prior to the filing of the Information Disclosure Statement.
- ☐ The **undersigned** hereby states that no item of information contained in the Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign patent application, and, to the knowledge of the undersigned after making reasonable inquiry, no item of information contained in the Information Disclosure Statement was known to any individual designated in 37 CFR 1.56(c) more than three months prior to the filing of the Information Disclosure Statement.

**Statement under 37 CFR 1.704(d)**

- ☐ The **undersigned** hereby states that each item of information contained in the Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart application and that this communication was not received by any individual designated in 37 CFR 1.56(c) more than thirty days prior to the filing of the Information Disclosure Statement.

**Fees**

- ☒ No fee is owed by the applicant(s).  
☐ The IDS Fee of \$180 under 37 CFR 1.17(p) is enclosed herewith.

**Method of Payment of Fees**

- ☐ Attached is a check in the amount of \$ .  
☐ Charge Deposit Account No. 12-1216 in the amount of \$ . (A duplicate copy of this communication is enclosed for that purpose.)

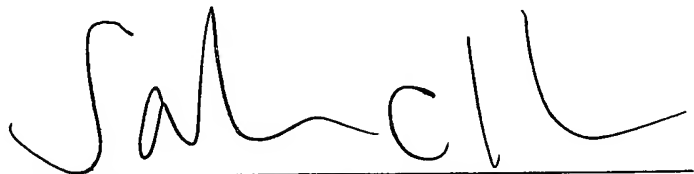
In re Appln. of Hyndman et al.  
Application No. 10/822,507

**Authorization to Charge Additional Fees**

- ☒ If any additional fees are owed in connection with this communication, please charge Deposit Account No. 12-1216. (A duplicate copy of this communication is enclosed for that purpose.)

**Instructions as to Overpayment**

- ☒ Credit Account No. 12-1216.  
☐ Refund



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Date: January 10, 2005

**CERTIFICATE OF MAILING**

I hereby certify that this INFORMATION DISCLOSURE STATEMENT (along with any documents referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Date:

Jan 10, 2005

Jennifer Beales

Please type a plus sign (+) inside this box →



Substitute for form 1449A/B/PTO

## INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)

**Complete if Known**

Application Number	10/822,507
Filing Date	April 12, 2004
First Named Inventor	Hyndman et al.
Group Art Unit	1764
Examiner Name	Unassigned
Attorney Docket Number	226079

Sheet 1 of 1

### U.S. PATENT DOCUMENTS

Examiner Initials	Doc. No.	U.S. Patent Document		Name of Patentee or Applicant	Date of Publication	Filing Date If Appropriate
		Application or Patent Number	Kind Code			
	AA	4,035,282		Stuchberry et al.	Jul. 12, 1977	
	AB	4,120,775		Murray et al.	Oct. 17, 1978	
	AC	4,324,652		Hack	Apr. 13, 1982	
	AD	4,425,227		Smith	Jan. 10, 1984	
	AE	4,545,892		Cymbalisky et al.	Oct. 8, 1985	
	AF	4,722,782		Graham et al.	Feb. 2, 1988	
	AG	5,039,227		Leung et al.	Aug. 13, 1991	
	AH	5,143,598	A	Graham et al.	Sep. 1, 1992	
	AI	5,264,118	A	Cymerman et al.	Nov. 23, 1993	
	AJ	5,645,714	A	Strand et al.	Jul. 8, 1997	
	AK	5,954,277	A	Maciejewski et al.	Sep. 21, 1999	
	AL	6,007,708	A	Allcock et al.	Dec. 28, 1999	
	AM	6,007,709	A	Duyvesteyn et al.	Dec. 28, 1999	
	AN	6,076,753	A	Maciejewski et al.	Jun. 20, 2000	

### FOREIGN PATENT DOCUMENTS

Examiner Initials	Doc. No.	Foreign Patent Document			Name of Patentee or Applicant	Date of Publication	Translation	
		Offic e	Application or Patent Number	Kind Code			Yes	No**
	AO	CA	1,027,501		Simmer	Mar. 7, 1978		
	AP	CA	1,267,860		Hann	Apr. 17, 1990		
	AQ	CA	1,293,465		Hyndman et al.	Dec. 24, 1991		
	AR	CA	2,021,185		Tipman et al.	Sep. 15, 1998		
	AS	CA	2,029,795		Cymerman et al.	Nov. 5, 1996		
	AT	CA	2,053,016		Green et al.	May 2, 1992		
	AU	CA	2,055,213		Wallace et al.	Aug. 13, 1996		
	AV	CA	2,149,737		Tipman et al.	Mar. 2, 1999		
	AW	CA	2,191,517		Tipman	May 28, 1998		
	AX	CA	2,195,604		Maciejewski	Nov. 23, 1999		
	AY	CA	2,200,899		Tipman et al.	Sep. 25, 1998		
	AZ	CA	2,232,929		Power et al.	Sep. 25, 1998		
	BA	CA	2,350,907		Duyvesteyn	May 25, 2000		
	BB	GB	2 044 796		Robinson et al.	Oct. 22, 1980		

Examiner Signature

Date Considered

\* A concise statement of relevance is being submitted in lieu of a translation. 37 CFR 1.98(a)(3).

+ An English-language equivalent/patent, or an English-language abstract, or an English-language version of the search report or action by a foreign patent office in a counterpart foreign application indicating the degree of relevance found by the foreign office is being submitted in lieu of a concise explanation of relevance under 37 CFR 1.98(a)(3).